

**INVITATION FOR THE RP TO
PARTICIPATE IN THE NRDA:
MODEL EXAMPLE**

APPENDIX K

[Date]

[Name of Responsible Party]
[Address]
[Telephone]
[Fax]
[email, if known]

Attention: [Representative, if known]

Re: [Name of Oil Spill Incident and date]: Invitation to Participate in Natural Resource
Damage Assessment

On [date], the [vessel name/facility] was involved in an actual or substantial threat of a discharge of oil [location]. You and/or your vessel, facility or corporation have been named by the United States Coast Guard as a responsible party for this incident, pursuant to § 2714 of the Oil Pollution Act of 1990, 33 U.S.C. § 2700 et seq. (OPA).

An incident involving an actual or substantial threat of a discharge of oil may give rise to liability for natural resource damages (NRD) under OPA and the regulations for assessing NRD pursuant to OPA, 15 CFR § 990 (61 FR 440, January 5, 1996; the OPA Regulations). The [names of trustee agencies participating in this letter] are Trustee agencies with management authority over natural resources actually or potentially injured as a result of this incident.

In accordance with § 990.41 of the OPA Regulations, the Trustees have determined that the incident is covered by OPA, that no exceptions from liability are applicable, and that natural resources under their trusteeship have been or may be injured as a result of this incident. The Trustees have therefore determined to proceed with the natural resource damage assessment process.

The goal of the assessment process is to efficiently and effectively restore injured natural resources and their services to baseline conditions, and compensate the environment and the public for the interim losses. As § 990.14 of the OPA Regulations requires Trustees to invite participation of known responsible parties in the assessment process to best facilitate achieving this restoration goal, this letter shall serve as your invitation to participate.

A written response from you is required by [date] to confirm your desire to participate in the assessment. Please send your response to [contact], of [agency], which is acting as the Lead Administrative Trustee for the assessment. The Trustees will subsequently contact you to determine a mutually acceptable level of your involvement in the assessment process, consistent with the provisions of § 990.14(c) of the OPA Rule.

Sincerely,

Title

Date